



TO: District of Columbia Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director

DATE: July 14, 2008

SUBJECT: BZA Application 17946 - Request filed by Greenstein DeLorme & Luchs, P.C. for **an area variance** for the establishment of a place of worship at 3609 Georgia Avenue, N.W., for ORE Investments, LLC.

APPLICATION

Application of ORE Investments LLC for:

A variance to § 2101.1 of Title 11 DCMR, to reduce the minimum off-street parking requirement from six to zero

for a property located on the east side of Georgia Avenue, between Otis Place and Princeton Place, N.W.

SUMMARY RECOMMENDATION

The Office of Planning recommends **APPROVAL** of the requested variance.

AREA DESCRIPTION

Square:	3032	Lot:	31	Quadrant:	North West
Area:	1,553 SF	Zone:	C-3-A	Overlay Zone:	GA (Georgia Avenue)
Alley Width:	10 feet	Historic District:	N/A	Building Restriction Line:	16-ft width
Existing Improvements: Three-level office building.					

MAJOR BUSINESS AND EMPLOYMENT CENTERS (C-3)

“The C-3-A District shall permit medium density development, with a density incentive for residential development within a general pattern of mixed-use development.” (§ 740.4)

GEORGIA AVENUE COMMERCIAL OVERLAY DISTRICT (GA)

“The Neighborhood Commercial (NC) Overlay District is established to preserve and enhance neighborhood shopping areas, by providing the scale of development and range of uses that are appropriate for neighborhood shopping and services.” (§ 1300.1)

“The NC Overlay District includes a number of individual overlay zone districts that may be established and mapped from time to time, consistent with the general provisions of this chapter.” (§ 1300.1)

Surrounding Properties:

North: One and two-story commercial and residential structures, some with off-street parking, and a one-story church at the northeast corner Georgia Avenue and Princeton Place.

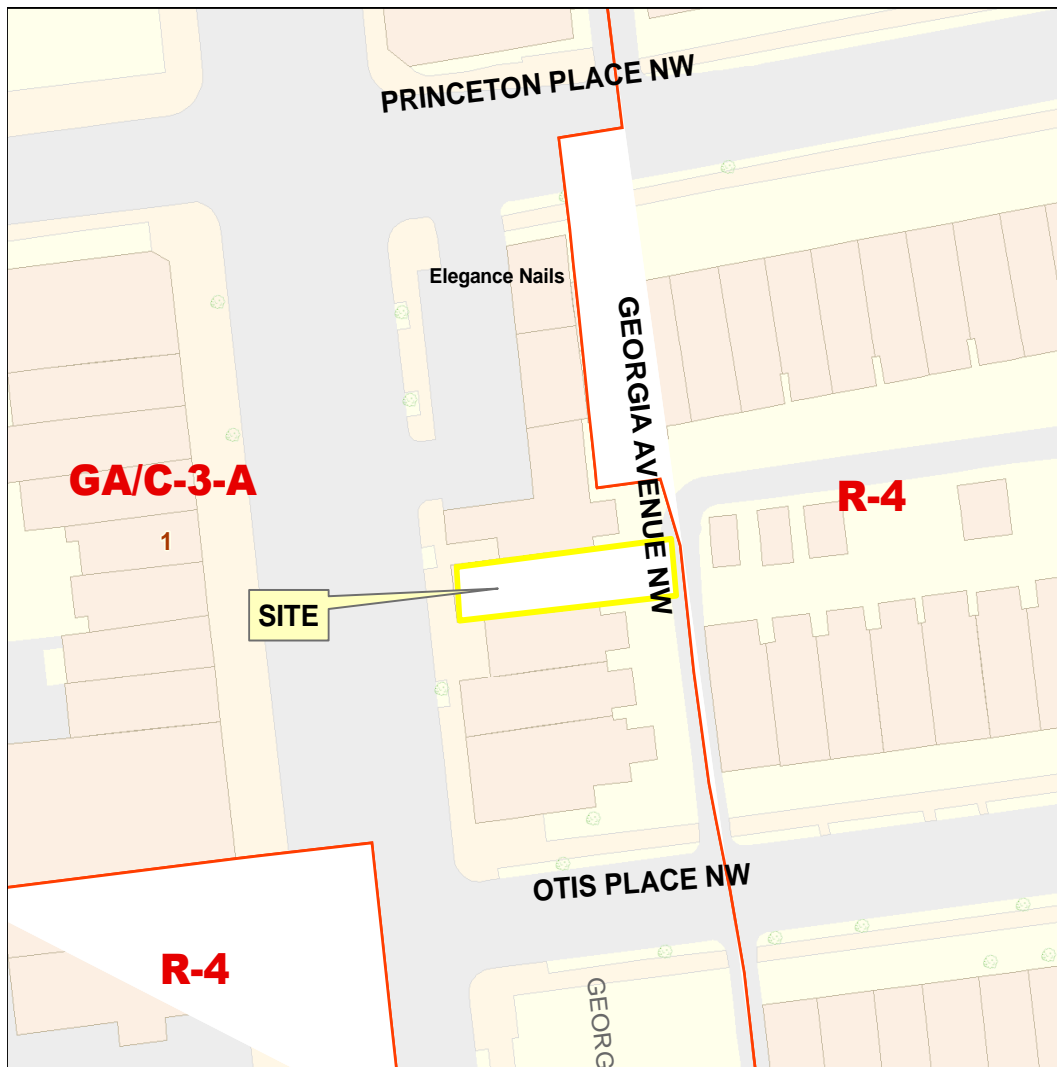


South: Two-story residential and commercial buildings.
East: Across the public alley, row houses.
West: Across Georgia Avenue, one to three-story commercial buildings and the Haynes Public Charter School.

The subject property is located three blocks south of the Georgia Avenue/Petworth Metrorail station on the Green Line. Seven Metrobus lines (62, 63, 64, 70, 71, 79 & H8) provide service on either Georgia Avenue, or New Hampshire Avenue, located approximately two blocks to the north. All but the 79 line provide Sunday service.

PROJECT DESCRIPTION

The application proposes to locate a sixty-seat church within the basement level of a three-story office building. The upper two levels are occupied by others as office space.



Zoning & Vicinity Map

The applicant proposes to conduct a variety of programs, most in the evenings or on Sundays, as described below.

Event	Day	Time	Attendance
Bible Study & Worship	Sundays	9:00 – 11:30 AM	60
Bible Study & Worship	Sundays	5:00 – 6:30 PM	60
Mid-Week Bible Study	Wednesdays	7:00 – 7:30 PM	40
Evangelism Ministry/ Fisher's of Men Training Class	3 rd Sunday of the Month	3:30 – 4:30 PM	10
Gospel Meeting	One Friday & Saturday in November	7:00 – 8:30 PM	40
Community Open House	One Sunday/year	1:00 – 3:00 PM	20

No off-street parking is provided on the subject property and none can be provided. The rear yard, accessible from the public alley, is improved with three air conditioning units servicing the entire building and an outdoor stairwell providing access to the basement.

RELIEF REQUESTED:

Variance to § 2101.1 – Schedule of Requirements for Parking Spaces

Section 2101.1 requires six off-street parking spaces for the proposed church. The application proposes to provide no off-street parking spaces.

Uniqueness and Practical Difficulty

The subject property is unique as a result of its small size, narrow width and existing site development. Originally developed as a row house in 1920 and later converted to an office building and zoned commercially, it is not possible to provide any parking within the rear yard as a result of its narrow width, and the location of an outdoor stairwell and three air conditioning units within the rear yard.

This uniqueness results in a peculiar and exceptional practical difficulty to the applicant in that the lot is too small and too narrow to accommodate six parking spaces. The width of the lot, 19.5 feet, is only slightly wider than the minimum 19-foot depth of a standard parking space. Combined with the requirement for the parking and a 20-foot wide drive aisle, the lot would not be wide enough to accommodate the parking, and the area of the parking lot would exceed the dimensions of the lot. Therefore, even with the removal of the building, the applicant could not design and provide the six required parking spaces on the subject property. The exterior stair and three air conditioning units in the rear yard would be practically difficult for the applicant to relocate as they serve other tenants in the building, and this would only provide two of the six parking spaces.

Impacts on Integrity of the Zoning Regulations and Public

The granting of this variance would not impair the intent and integrity of the zone plan. It would permit the continued use of a legally existing commercial space that has never had any off-street parking. There should be little or no impact on the community because the use of the church space would be on Sundays or evenings, when the commercial establishments on Georgia Avenue are primarily closed, reducing the demand for the on-street parking spaces on Georgia Avenue. The site is also located approximately two blocks from the Georgia Avenue/ Petworth Metrorail station and is accessible via six Metrobus lines that run in the evenings and on weekends.

The applicant has satisfactorily met the criteria for the granting of a variance.

AGENCY COMMENTS

The **District Department of Transportation** (DDOT) had no comments on the application.

COMMUNITY COMMENTS

ANC 1A passed a resolution on February 23, 2007 in support of the application.

RECOMMENDATION

The Office of Planning has reviewed the application in terms of the property's zoning, the intensity of use, the character of the neighborhood and the standards for a variance. The requested variance meets the required tests and can be granted "without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map."

The Office of Planning recommends **APPROVAL** of an area **variance to § 2101.1 of Title 11 DCMR**, to reduce the minimum parking requirement from six to zero spaces.

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Case Manager: Stephen J. Mordfin, AICP